

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

AMY PALMER,

Plaintiff,

v.

CHAMPION MORTGAGE,

Defendant.

Civil Action No. 04-11-954-RCL

**ASSENTED-TO MOTION TO ENLARGE TIME
TO ANSWER OR OTHERWISE PLEAD**

Defendant, Champion Mortgage, a Division of KeyBank National Association (“Champion”), by and through its attorneys, Nixon Peabody LLP, hereby moves, pursuant to F.R.C.P. 6(b), with the assent of Plaintiff, for an additional week for which to answer or otherwise plead, which motion is based on the following:

1. On or about September 8, 2004, Plaintiff commenced this action.
 2. On or about October 5, 2004, Champion accepted service of the complaint.
 3. Originally, an answer or other pleading is due on or before December 6, 2004, excluding the additional three-day period allowed under F.R.C.P. (6)(e). Champion is in the process of finalizing a motion to dismiss, which it will file on or before December 13, 2004.
 4. Plaintiff assents to this limited extension.
 5. No party will be prejudiced and no existing schedule of the Court will be affected by this brief extension.
 6. No Memorandum of Law accompanies this motion as all authority is cited herein.
- WHEREFORE, Champion respectfully requests that this Court:

- A. Extend the time in which Champion has to answer or otherwise plead to December 13, 2004; and
- B. Grant such other and further relief as justice requires.

Respectfully submitted,

CHAMPION MORTGAGE, A DIVISION OF
KEYBANK NATIONAL ASSOCIATION

By its attorneys,

NIXON PEABODY LLP

Dated: December 6, 2004

By: /s/ W. Scott O'Connell
W. Scott O'Connell, BBO No. 632487
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CERTIFICATE OF SERVICE

I hereby certify that on this 6th day of December, 2004 a copy of the forgoing Motion to Enlarge Time to Answer or Otherwise Plead was forwarded by the Court's ECF system to Christopher M. Lefebvre, Esquire, counsel of record, at Post Office Box 479, Pawtucket, Rhode Island 02862, counsel for the plaintiff.

/s/W. Scott O'Connell
W. Scott O'Connell